I. W. W. INJUNCTION

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SACRAMENTO

THE PEOPLE OF THE STATE OF CALIFORNIA, on the relation of U. S. Webb, Attorney General, Plaintiff,

vs.

THE INDUSTRIAL WORKERS OF THE WORLD, THE GENERAL EXECUTIVE BOARD OF THE I. W. W., THE GENERAL ORGANIZATION COMMITTEE OF THE I. W. W., THE GENERAL DEFENSE COMMITTEE OF THE I. W. W., AND THE CALIFORNIA BRANCH OF GENERAL DEFENSE COMMITTEE OF THE I. W. W., ALSO SOMETIMES CALLED THE CALIFORNIA BRANCH OF THE GENERAL DEFENSE COMMITTEE, JOHN GRADY, JOHN JACKSON, WALTER SMITH, individually and as members of the said GENERAL EXECUTIVE BOARD, H. M. EDWARDS, TOM McMAHON, J. KENNEDY, RALPH COLESCOTT, TOM DOYLE, TOM CONNORS, JAMES KELLY, WILLIAM RYAN, individually and as members of the said GENERAL ORGANIZATION COMMITTEE OF THE I. W. W., P. J. WEILANDER, ELSIE LYBECK, EDWARD ANDERSON, WILLIAM RACKE, PETE BEAZELEY, JOHN M. REILLY, FRANK DOYLE, JOHN DOE SWANSON, JOHN DOE NICHOLS, JOHN DOE O'DONNELL, SAM OBERMAN, J. A. SANDERBERG, RAY SANDS, E. G. HOTTELLING, JOHN DOE MUNSON, E. M. BECK, A. DAY, C. LAUN, MARTIN HIGGINS, JOHN DOE KINGSLEY, J. D. GRAHAM, individually and as officers, representatives and delegates of the said INDUSTRIAL WORKERS OF THE WORLD, and TOM CONNORS, PETE BEAZELEY, MARY GALLAGHER DOUGLAS and RICHARD ROE, SAM DOE, as members of the CALIFORNIA BRANCH OF THE GENERAL DEFENSE COMMITTEE, Defendants.

No. 31125.
Dept. 1.

INJUNCTION

The above entitled cause coming on regularly to be heard in the above entitled Court before the undersigned, Judge of said Superior Court, on the order to defendants and each of them to show cause why an injunction pendente lite should not be issued herein as prayed for in the complaint on file herein and the defendants, Industrial Workers of the World, California Branch of the General Defense Committee, also known as California Branch Office of the General Defense Committee, Tom Connors, Pete Wukusitch, and Leo J. McAuliff, being present or represented by counsel, Messrs. R. W. Henderson and Austin Lewis, and the plaintiff being represented by J. J. Henderson, District Attorney, and Wm. V. Cowan, Assistant District Attorney, of said Sacramento County, and affidavits and evidence being adduced for and against the said petition for a temporary injunction by the respective parties hereto, and the Court being advised and the same having been duly submitted to the Court, and it satisfactorily appearing to me therefrom that there is good cause for granting said injunction pendente lite.

IT IS ORDERED, ADJUDGED AND DECREED by this Court that the said defendants, Industrial Workers of the World, the General Executive Board of the I. W. W., the General Defense Committee of the I. W. W., and the California Branch of General Defense Committee of the I. W. W., sometimes called the California Branch of the General Defense Committee. John Grady, John Jackson, Walter Smith, individually and as members of the said General Executive Board, H. M. Edwards, Tom McMahon, J. Kennedy, Ralph Colescott, Tom Doyle, Tom Connors, James Kelly, William Bryan, individually and as members of the said General Organization Committee of the I. W. W., P. J. Weilander, Elsie Lybeck, Edward Anderson, William Racke, Pete Beazeley, John M. Reilly, Frank Doyle, John Doe Swanson, John Doe Nichols, John Doe O'Donnell, Sam Oberman, J. A. Sanderberg, Ray Sands, E. G. Hottelling, John Doe Munson, E. M. Beck, A. Day, C. Laun, Martin Higgins, John Doe Kingsley, J. D. Graham, individually and as officers, representatives and delegates of the said Industrial Workers of the World, and Tom Connors, Pete Beazeley, Mary Gallagher Douglas, Leo J. McAuliff and Pete Wukusitch, individually and as members of the California Branch of the General Defense Committee and each of them, their servants, agents, solicitors, attorneys and all others acting in aid or assistance of the defendants, or each of them, do absolutely desist and refrain from further conspiring with each other to carry out, and from carrying out, or attempting to carry out, their conspiracy to injure, destroy, and damage property in the State of California, and to take over and assume possession of the industries and properties in said state as well as the government thereof; and from knowingly circulating, selling, distributing, and displaying books, pamphlets, papers or other written or printed matter advocating, teaching or suggesting criminal syndicalism, sabotage or the destruction of property for the purpose of taking over the industries and properties of all employers, or otherwise, and from advocating, by word of mouth or writing the necessity, propriety and expediency of criminal syndicalism or sabotage, direct action, wilful damage or injury to physical property and bodily injury to person or persons, and justifying or attempting to justify criminal syndicalism, the commission or attempt to commit crime, sabotage, violence or unlawful methods of terrorism with the intent to approve, advocate or further the doctrine of criminal syndicalism, as said terms "Criminal Syndicalism" and "Sabotage" are defined in Chapter 188 of the Statutes and Amendments to the Code of the State of California, for 1919, and from organizing or aiding or assisting to organize or extend or increase any society, assemblage or association of persons which teaches, advocates, aids and abets criminal syndicalism or the duty, necessity or propriety of committing crime, sabotage, violence or any unlawful method of terrorism as a means of accomplishing a change in industrial ownership or control, or effecting any political change, and from doing any acts to carry out the doctrines, theories and acts of criminal syndicalism and from in any manner whatsoever conspiring or confederating together for the carrying out of said purposes, or either thereof, until the further order of this Court.

Dated this 14th day of September, 1923.

[Seal]

CHARLES O. BUSICK,
Judge of the Superior Court.

Attest: HARRY W. HALL, Clerk.
By M. J. Sullivan, Deputy Clerk.

WHO ARE THE CRIMINALS?

Throughout the whole state of California CRIMINAL SYNDICALISM has become a term as familiar, and as infamous and hideous, as the term INQUISITION was to Spain during the Medieval Age.

As the Inquisition was a necessity during the Feudal system to maintain the Catholic Church in power, mentally and economically, so the Criminal Syndicalism act is enacted to keep the present rulers of Wall street in continuous power in this United States.

WHAT IS CRIMINAL SYNDICALISM?

So much have been said and written already about this infamous law, known as the CRIMINAL SYNDICALISM LAW, that hardly more needs to be said. To any one who still posses a sense of Justice, still clings to the ideals of Equal Rights to all, the ideals which found its expression in the days of Jefferson, Paine and Franklin, the ideals which have endeared America to the whole world, to all of you the injustice of this vicious piece of CLASS-LEGISLATION need no further comment,

To you who have not yet had occasion to investigate or analyze this damnable product of prostituted politicians and lawmakers in this and other states, we give as our opinion of this law, -and we challenge any and all to disprove the correctness of our statements, -that IT IS AN EFFORT ON THE PART OF THE GRAFTERS AND EXPLOITERS TO LEGALIZE THEIR ROBBERY, TO STOP ONCE AND FOR ALL ANY AND ALL ATTEMPTS ON THE PART OF THE WORKERS AND THE PRODUCERS IN GENERAL TO ORGANIZE FOR THEIR OWN PROTECTION, It makes wholesale robbery a legal and respectable profession and brands as CRIMINALS every toiler and every wage earner who make any attempt to secure a larger part of his product, -to say nothing about those who dare to demand the full product of their labor.

We have at present time seventy three members of the I.W.W. awaiting trial under this act or having their cases appealed to higher courts. Thirty three members of the same organization are already serving from one to fourteen years sentences in the hell-holes of St.Quinten and Folsom penitentiaries.

Of the ones awaiting trial the greatest number, forty of them, are in the Los Angeles county jail. Sacramento county jail holds about a score of our members, most of them awaiting appeal from the lower court where they were convicted in a third trial after the jury deliberated twenty two hours on the case. Eureka and Fresno are also contributing to the list of Class-War prisoners in this state.

In the state of Idaho, where this perfidious law originated and where it took its first victims, it is already obsolete. No more prosecution, -or persecution as it more properly should be termed, -takes place. In the state of Washington, who up till recently held the lead for persecution under this law, no more prosecution takes place, this kind of "justice" being to obnoxious, to much of an outrage, for the average citizen in that state to stand for. In the state of Oregon there has never been more than one conviction under this law, and it was secured through a speed-up system under which the victim, Wm. Johnson, was arrested, sentenced and landed in the penitentiary of Salem within 72 hours time. In the states of New Mexico and Montana the same law has been repealed as being unconstitutional. In the middle-west and eastern states it would be unthinkable to even try to prosecute under such a flagrant piece of Class-Legislation. How then can the authorities in this state proceed with their nefarious work?

The answer to the above question is to be found in the immense richnes of this state. Hardly anywhere in the world has nature been more generous than here and nowhere have these resources been more or better developed than in California. The result is that immense fortunes have been accumulated by a few individuals or groups who today controlls the entire state, its legislative and juridicial institutions, its press and pulpits, shools and churches, in fact our whole social life. To perpetuate themselves and their kin in power, to continue their system of exploitation, to enable them to rob the wage worker and the producers in general of the fruit of their labor, this law was enacted and is now being enforced.

(Over)

of this law. The same forces which today extoll you to their hearts content in the form of outrageous rents, high rates on transportation, exhorbitant commission rates, defraud you of acces to such natural resources as by and all civil and moral rights should be your common property; these same forces make you pay the expenses for safeguarding them in their present ownership of our state's natural resources. How long will you continue to be the goat? How long will you fight the battle of your suppressors?

The Industrial Workers of the World is the only organization who have dared to resist the power of this self-legalizing plunderbund. The Oil interest, the Wall Street railroad owners, the owners of the rich land in this state, the timber barons and all the other vested interests have let loose their press and their pulpits, their prostitutes in universities and colleges and every other agency for moulding public opinion against us, and you are made to pay the bill and, besides, be the ones who render the verdict which will send these men to the penitentiary. For your service to your masters you are being still more enslaved, still harder exploited and the future of yours and that of your children looks still darker.

Continue your sevice to the slave owning class, the I.W.W. cannot be crushed by such actions. In every state and every teritory where the I.W.W. has been persecuted it has grown correspondingly strong. The more the I.W.W. has been persecuted the faster and stronger does it grow. In the state of Washington, where more members of that organization have been sent to prison, maimed and murdered than in any other state, -in that state the I.W.W. is stronger than in any other state in the U.S..

And it is only logical that it must be so. The I.W.W., strong as it is and great as it is as an instrument to carry on the every day battle of the wage earner against his employer, it is still greater as a final solution for our social ills today. The ideals nd principles of this organization is the only sensible solution of our social questions, is the only hope for the toiling masses not only on this continent but the world over. To think that this ideal can be crushed by so many jail or prison sentenses is worst than folishness, it is a crime in itself. The ones who today send working men and women to the penitentiaries for holding this ideal, this hope of a better world, are the real criminals.

You are called upon to make your choice. Are you going to be the tool of your suppressors or are you going to align yourself with those who fight the battle of all the toilers? We solicit your assistance, morally, financially, and as active participants in our struggle, This circular is more than an appeal, it is also a challenge to all the power of suppression in this state. We have pinned our faith upon you, the workers and the real builders of this state, and we know that we shall not lose in this fight.

Publicity is what we need more than anything else at this time. Not only is it necessary that the people of the state of California are being correctly informed as to the nature of the Criminal Syndicalism law and similar kind of legislation, (or, as one writer more appropriate call it: "Syndicated Criminalism".) but it is still more vital that those movements, that are being made the victims of this criminal persecution, are being known to the whole citizenship in this state. To get the doctrines and the theories of the I.W.W. properly explained and placed before the public in general means a great amount of expenditures. Those expenditures must be met by the workers themselves. There is no hope that the moneyed interests will foot the bill. It is to your own interest that you assist us in getting these facts broadcasted all over the state. The liberation of the toiling masses in this land means your own liberation as well. To crush this power of suppression means more freedom for you. Therefore we solicit your financial assistance, be it ever as small an amount, and assure you that every penny will be used entirely in the interest of the workers.

There are at present time over 300 of our members in the jails and penitentiaries and we must care for their health and well-being to the test of our ability. The weekly outlay for prison relief alone in this state is in excess of $ 300,00. You are asked to help us defray this expense. Your dollars or nickels will do much to preserve the health and spirit of our fellow workers in jails anb prisons. We trust you will assist us in our work and expect to see from you a contribution at the earliest date possible.

Send all donations to Wm. Hurley, 226 Russ Building, San Francsco, Calif..

Yours for Industrial Freedom,
California Branch General Defense.

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At present the whole state of California CRIMINAL SYNDICALISM has become a term of loathing, and as infamous and hideous, as the term INQUISITION was in Spain during the Mediaval Age.

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(Over)

THE SACRAMENTO BEE EDIT

A Typical I. W. W. Released By Coolidge

Mortimer Downing is one of the I. W. W. just pardoned out of a federal prison by President Coolidge, and posing, among other members of that infamous organization, as "a martyr to the cause of free speech."

He was one of the twenty-two dangerous criminals convicted in Sacramento in 1919 under the federal espionage act, for treasonable conspiracy and vicious acts of a felonious nature, and not merely for disloyal expressions of opinion.

In August, 1913, Downing became one of a "defense committee" of the I. W. W. in connection with the hop pickers' riot on the Durst ranch near Wheatland, Yuba County, where four men were killed and many men, women and children seriously wounded in the fight between I. W. W. strikers and sheriff's deputies.

Later, Richard Ford and Herman Suhr, both I. W. W., were convicted of murder in connection with that affair.

The notorious I. W. W. publication known as Solidarity, on July 31, 1915, published an article, conspicuously credited to Mortimer Downing, giving an account of the hop pickers' riot and of the activities of his committee following that event; also the conviction of Ford and Suhr in Marysville in January, 1914. Then began a nation-wide campaign by the I. W. W. to force the release of the pair, not merely by agitation but by resort to sabotage and all other forms of "direct action" known to the organization.

The following extracts from Downing's article are instructive to the public, revealing not only the villainous tactics of the I. W. W. but also the nature and dangerous disposition of this miscreant now turned loose by President Coolidge to continue his felonious career:

Labor was prepared for the natural program of the I. W. W.—economic pressure upon the governor of the state and all solidarists (workers not members of the I. W. W.) for the freedom of Ford and Suhr.

It was the cry of the committee, the soapboxers and all unionists that the conviction and incarceration of Ford and Suhr would cost the masters more than the ransom of a king.

How well this program was acted is shown by the fact that the 1914 crop showed a loss to the masters of more than $1,000,000.

* * *

Ford and Suhr were convicted of conspiracy. The committee planned a defiant conspiracy. They preached, advocated and taught sabotage openly and rebelliously.

* * *

This committee showed how by the use of chemicals to make hops stink worse than a polecat; how to diminish the crop of future years by sowing Johnson grass and wild morning glories; how to do anything and everything which would hit the boss, in the pocketbook. And no man went to prison for more than thirty days and only four were even arrested.

At Wheatland when the army of summer came out with pickhandles, the little body of pickets came upon the line at the next formation with three-foot saps of gas pipe. These things were good.

* * *

These pickets of 1914 came away from Wheatland without the loss of a man, and they inflicted a $1,000,000 loss to the hop growers as compared with 1913, and another $1,000,000 loss in the fact that the most bounteous hop harvest ever known was only half gathered.

Let 1915 show a better result. That is the hope and wish of every I. W. W.

* * *

Sabotage! Turn the cat loose. Sabotage! Until Ford and Suhr are free. Sabotage! when any worker is held in the hustles of the enemies.

Thus this Mortimer Downing, I. W. W. leader and master of sabotage, existed in the loss of millions of dollars to hop growers and other producers; losses due directly and indirectly to criminal methods practiced by the vicious organization of which he is a fit exponent. The sabotage he openly advocates is made a felony by the anti-syndicalism laws of California, which thus defines the word:

Willful and malicious physical damage or injury to physical property, or unlawful acts of force or violence, or unlawful methods of terrorism as a means of accomplishing a change in industrial ownership or affecting any political change.

The I. W. W. teach and practice sabotage in the hope that it will help to destroy rights of private property and further the cause of Communism, which is their aim.

Nothing for years past has done so much to cheer and gladden these vipers as the pardon just granted twenty-two of their members by the president. This they regard not as an act of mercy h one of weakness and surrender; a caving down the bank of the forces of law and order in America; as recognition of their political and industrial power in this Commonwealth, and a sign of the coming of Soviet rule in the United States, with the red flag of anarchy waving over the White House.

War Law Violators Turned Loose

TWENTY-SEVEN ON RETURN TRIP TO SACRAMENTO, CHICAGO OR KANSAS CITY, FROM LEAVENWORTH

Carrying $8331 Christmas Money

LEAVENWORTH (Kas.), Dec. 24. (AP)—Twenty-seven men convicted of war time offenses and sentenced to the federal penitentiary here today are on their way to their homes and Christmas. They were among the thirty violators of war time laws recently pardoned by President Coolidge, and were released on Saturday night.

Three of these who received pardons were left behind—held for deportation to their native countries.

Was All Have Funds.

Before the men left the prison $8,331 was paid to them in cash. This money came from friends on the outside, but included five dollars gratuity given by the government. The men received amounts ranging from $10 to $450.

Sent From Three Cities.

The men released were convicted at Chicago, Sacramento, and Kansas City. James Bowen was under the heaviest sentence. His term of twenty years would not have expired until 1946.

C. J. Bourg, Alexander Courneous and James F. Thompson were under sentences of ten years each, imposed at Chicago, and Charles H. McKinnon was under five year sentence.

Twenty From Sacramento.

Twenty were given ten year sentences at Sacramento, which would have expired January 24, 1928. They are Elmer Anderson, Harry Brewer, Robert Connellon, Roy F. Connor, Pete de Bernardi, Mortimer Downing, Frank Elliott, John Grave, Harry Greg, Henry Hamner, William Hood, Chris A. Luber, Phil McLaughlin, George O'Connell, John Potthast, Edward Quigley, James Quinlan, Myron Sprague, Caesar Tabih and George Vorster.

F. J. Gallagher was serving an eight-year sentence and Wenell Franzlk, seven years six months. Both were convicted at Kansas City.

Flanagan and three others, that it did not make any difference whether a person who joined an organization knew whether such organization was unlawful or not.

Must Protect Innocent.

The opinion points out that a person might be influenced to join an organization innocent of its unlawful character. Therefore, the court holds in order to sustain a conviction, it must be shown that the defendant on trial knew that he was joining an unlawful organization.

Sent To Prison.

Flanagan and Strangland were convicted last May in the court of Judge Charles O. Busick and each was sentenced to serve from one to fourteen years in prison. Three other members of the I. W. W.—Olaf Gutterson, Art Jolley and David Bryant—were tried jointly with them, shut were acquitted by the jury.

It was during the trial of the five men that T. F. Allen, one of the counsel for the defense, was sent to jail for twenty-four hours for contempt of court by Judge Busick because of a remark by Allen that the court was attempting to intimidate the jury.

Errors Charged.

The decision deals largely with errors charged to the trial court in the conduct of the case and in the instructions given to the jurors. The following instruction in particular is criticised:

"It is not necessary, and the law does not require, that the prosecution establish that he (the defendant) knew the character of the organization * * * It does not require that they know the character of the organization when they join it."

Must Prove Knowledge.

From the foregoing, the opinion states, it is clear that the court not only ruled out testimony tending to show of guilty knowledge, but instructed the jury that guilty knowledge is not an essential element of the offense charged.

Further on the opinion declares in part:

"Every person is presumed to know the law and ignorance thereof is no defense to a charge of crime, but the defense here sought to be shown is not ignorance of the law, but of a fact."

APPELLATE COURT REVERSES I. W. W. CONVICTIONS HERE

Holds In Decision That Prosecution Must Prove Knowledge Of Organization's Unlawful Purposes To Convict

HENDERSON TO TAKE CASE TO HIGHER COURT

Judge Busick And District Attorney Say Ruling Serves To Nullify The Syndicalism Law. Bee 1/14 1924

Persons joining the I. W. W. or similar radical organizations must do so with a knowledge of its unlawful character in order to be convicted under the provisions of the criminal syndicalism law of California, the third district court of appeal so held to-day in reversing the judgment of conviction in the case of William Flanagan and Albert Strangland, alleged members of the I. W. W., who were tried in the superior court of Sacramento County several months ago.

Decision Hits Law.

The decision sounds a death blow to the criminal syndicalism laws of California, said District Attorney J. J. Henderson and Superior Judge C. O. Busick to-day.

Busick's Statement.

"If the opinion so holds there will be little use of attempting to prosecute I. W. W. in Sacramento County or any other county of the state," stated Judge Busick, "for it will be impossible for the state to prove what is in a person's mind when he joins the I. W. W. The decision also knocks out the injunction granted in this court against the I. W. W.

Henderson Will Appeal.

Henderson declared that his office will file a petition for a hearing of the appeal at the earliest possible date before the state supreme court.

"The decision takes all of the teeth out of the statute," remarked the district attorney. "The statute is virtually repealed by a judicial decision."

Judge Busick pointed out to-day that representatives of the radical organization before the 1923 legislature attempted to obtain an amendment to the statute to provide the very thing which the appellate court ruled on to-day.

Lower Court Reversed.

The trial court was reversed on the ground that the court instructed the jury, which tried the case of

Wm. Faust 1 V 00 17 W-38
2 V 10

W-34 George Frank Long 10 V 00
6 V 00

Albert Whitehead 9 R I 0 22 W-13
18 V 00

W-32 Edward Anderson 19 - I 15
17 V

Otto Giesberts 5 R 00 16 W-41
17 R 00

W-11. Wm T. Bridges 25 - I M
30 V 00

Fred Meyers 1 R II 12 W-33
1 V 01

W-4 Noble Sherman 16 V 00 2
2 V I

Albert Diamond 1 U I0 5 / 1 U I0 — W-8

W-16 Antone Medovich 1 Aa 13 / 1 A

Jim

Felix Cedeno 5 U OI 12 / 17 R OI — W-7

W-42 Wm. Schmidt 1 U I0 6 / 1 R I0

John L

James Mulroney 9 R OI 11 / 1 R OI — W-10

W-25 Nelmer De Vries 25 - I 11 / 18 U 00

Frank

John O'Brien 25 I 13. / 19 I — W-9

W-19 Otto Ebner 1 T 19. / 1 R

George

1 Aa 13
1 A

Jim McSpengie 1 R 002 W-28
1 R 00

George Ryan 25 - 0 10
2 U II W-16

U I 0 6
R I 0

John Dalrymple 7 U 01 15 W-18
19 - 01

William Miller 1 a A 3a W-19
1 a A 2a

25 - I 11
18 U 00

Frank Moran 21 - I 8 W-26
1 U 00

James Mahoney 3 T 7 8313
1 U

T 19
R

George Stoney 19 R I 0 6 W-37
2 R I 0

Frank Reilly 1 R N 5 8134
1 A N

(4)

Fritz Hageman 1 R OI 14 1 U IO 8185.

8371. Joy Connor 7 R O 22 7 R O 28 - OI X 28 - MI 22

Wyron

Godfrey Ebel 9 R OI 14. 3 - 0 8377.

8341. Henry Hammer alias: Adam Miller 1 R II 8 1 A 8 1 R II X 1 R

Peter

Frank Elliott 1 U OI 9 1 U 00 8375

8339. George O'Connell 1 U N 4 1 R N

Harry

Elsner Anderson 27 I M 12 MI 8376

8340. James Quinlan 1 R 13 1 R 13 17 T X 17 A

John
alias:

7 R O
28 - MI 22

Myron Sprague 13 U I O 13. 8334
18 R II

Caesar Tabit 1 R O I 14
1 R O O 8374

F 8 1 A 8
E X 1 R

Peter Le Bernardi 10 U I O 20 8335
1 U O O

Harry Gray 1 U II 5. 8373
1 R II

1 U N H
1 R N

Harry Brewer 1 Aa 11 8327
1 Aa

Phil Mc Laughlin 15 R O 19 8378
28 - O I -

R 13 1 R 13
1 T X 17 A

John Potthast 17 I M 10 8343
alias:- "Whitey" 27 I

Jacob Torri 29 M O 18 8431
28 I

Chris Luber 27-0 14 8432
2 T 0

8453 James Ward 21 I 19
1 9 0

John C

Robert Feehan 29 0 6 8430
19 M

8451 John Hausmann 9 R 00 14
18 R I 0

Charles

Herbert Stredwick. 9 T 00 10 8429
2 R I 0

8452 Robert Thorne 1 R II 9
1 R I 0

Cornelius

Mortimer Downing 1 T 16. 8428
1 R

8449. Frank Gregg 21 I 14.
19 I

James W
alias T

I 19
0

John Craig 2 Vx 8778
6 V

Patrick Casey 1 V II 8
1 R 00 983

R 00 14
8 R Io

Charles Hutchinson 1 R 00 20 8779
19 V Io

Ramon L Sanchez 21 I 15 9393
19 I 13

R II 9
R Io

Cornelius J. Monlihan 1 R II 14 8815
1 R Io

Peter Mongrain 28 Io 8065
32 II

1 I 14.
9 I

James Mc Donald 1 3 V o 13 9030.
Alias Tim Kennedy 25 V oo

Wm Ward 21 15 8064
17 Va

8056 James Price 1 Ra 17 / 1 Ra

8338 Ed Quigley 1 R 9 / 1 Ra X 3 -a

Harry A

8055 Steele Farmer 1 U 00 15 / 1 U 00

8107 Vincent Santilli 25 0 16 / 4 I

Ettore

8298 Robert Connelhan 25 - I 4 / 5 U OI X 25 - I 4 / 1 U OI
Mike Dublin Bob

8096 George F Voetter 27 I M 12 27 I M 12 / 12 O I X 12 O M

Edward

6656 Frederick Esmond 5 R 4 / 17 Un

7734 Wm Hood 9 R 00 11 / Frank T Dougherty 1 R OI X 1 Ra

Joseph

Harry A La Tour 9 R 00 19 8372
17 T 00

Harry Donovan 1 R 4 8197
1 A

Ettore dei Santos 32 M 15 8172
3 MO

Chas. Wm. Koenig 1 Van 15 1 Van 15. 8089
1 Ra X 1 Rx

Edward S Carey 31 I 19 8111
20 OI

John Henry Grave 5 T 14 8109
17 R

Joseph Carroll 9 R 10 8112
19 -a

Albert Cutta; 1 V 007 8026
Frank Miller 17 V 00

W-29 Louis Martell 1 Aa 1 R 2a

W-2 Louis La Porte 1 T 10 1 R II 10 1 T X 1 R II

W-22 John Jugan 13 R OI 12 20 - 0

W-30 Frank Johnson 32 I 24 OI

W-31. Wm W Austin 31 IM 32 IO X 27-IM 30 U I

W-43. John J Connor 25 I 6 19 I

N-5 Wm Kelly 9 R n 18 1 R

W-40 Averre R Salberg 1 R II 5 U II
W Peterson

Marysville # 2206 - Yuba # 463 - Portland # 6[illegible]

1 R II 10
1 R II

Joseph Sharpe — 17 - M 11 — W-34 — 8246 — John L. Murphy — 1 U 1 / 1 Ra

Plate accidently broken by Dept of Justice

32 I
24 0I

Albert Marks — 31 I M — 32 0 I — 8035

8243 Wm. Byrne - Burns — 31 II / 32 II

25 I 6
19 I

Roy Byerly — 1 U 11 — 1 R N — W-14

9536 Walter Wismer — 1 a A 3a / 1 a A 3a

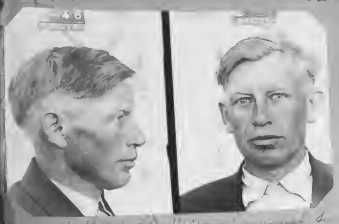
R II
U II

Fritz Graves — 1 U 10 6 — 1 R 0I — W-21

9691-A / W-45 Walter Smith — 9 U 00 14 / 2 U 00 11

1-1 H yrs S.Q. 1/18/23 - Crim... Appld.
Case appealed - bail $250.00

9691-B Andrew L. Anderson 27 XI II
W-46 32 I 0 18 10



1-14 yrs & D 1/18/23 Criminal Syndicalism
Case appealed - out on $250.00 bail - JC 96

9691-F Pete Beazley 9 Aa 12
W-50 17aA2a

1-14 yrs & D 1/18/23 Criminal Syndicalism
Case appealed - out on $250.00 bail

9691-C Ben Ryder 17 I 15
W-47 3 0 17

1-14 yrs & D 1/18/23 Criminal Syndicalism
Case appealed - out on $250.00 bail

9691-B John T. Nash 9 R 0 16
W-51 27 - I 16

1-14 yrs & D 1/18/23 Criminal Syndicalism
Case appealed - out on $250 bail

9691-D Tom Ganger 1 A 9
W-48 17aA 10

1-14 yrs & D 1/18/23 Criminal Syndicalism
Case appealed - out on $250 bail

9692-A Thomas O'Mara 9 R 00 17
W-52 2 U 00 14

1-14 yrs & D 1/18/23 Criminal Syndicalism
Case appealed - out on $250 bail

9691-E Charles B. LaFave 9 Ua 1 Ua —
W-49 5 Aa 15 X 5 Aa 15

1-14 yrs & D 1/18/23 Criminal Syndicalism
Case appealed - out on $250.00 bail.

9692-B Herbert Hill Edwards 1 U 7 1 U 7
W-53 1 Ra 9 X 1 Ua 9

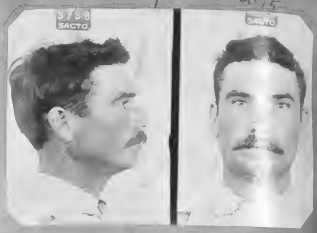
1-14 yrs & D 1/18/23 Criminal Syndicalism
Case appealed - out on $250 bail

12

26 I 9 25 I 9
3 0 X 3 0 11

Wm A. Jett
54

1/1/18 Mike Havey 5 Ma 13
1 U 00 15



691. Earl Firey 28 00
32 MO

9578. John Alvin Casdorff 10
12

720 Frank Main 17 I M 9
27 0 10

NW-55 Robert A. Gibson 26 - I 20
9885-A 18 U 00
18*3764

1-14 yrs. L.B. *37648 - paroled 7/8/13.

903 Chas. Hewett 1 U N 8
1 U 10

W 56 Frank Bailey 17 - I 14 9 -
9885-B 17 M O T 2 [illegible]
18*3764

1-14 yrs. No 4 7/8/13. L.B. *37647

16

W 57 Jack Segal — 1 U 00 17 / 1 U II 14

W 58. John Vega — 15 R O 16 / 27 - M I 19

Record on F P
1-14 yrs. S Q 7/26/23 - S Q #3"651 trans. to
Folsom #12556

W 59 Freeman Franklin — 1 Na 2 / 1 A 4

1-14 yrs. S Q 7/26/23 - S Q #37635

W 60 Philip Mettman — 29 I 15 / 19 M 14

1-14 yrs. S Q 8 26 23 - S Q #37637

W 61 James Martin — 7 A 6 / 1 R 11

1-14 yrs S Q 7/26/23 - S Q #37636

W 62 John Orlando — 5 U 00 16 / 17 U 00 17

1-14 yrs S Q 7/26/23 S Q #37650

W 63 Wm. Jozoff — 1 U II 12 / 17 R II 13

1-14 yrs. S Q. 7/26/23 - S Q #37647.

W 64 Louis Schwend — 25 I 14 / 4 O 14

Case dismissed by Judge Bacon 8/5/23

W 65 Paul
9889-

W 66 Arthur
9888-

W 67
9897-

Indt. entd

W 68
9899-

W-65 / 9888-Y — Paul Waltes

W-66 / 9888-Y — Arthur Valois @ Alvis

W-67 / 9897-B — Robt Willis Minton alias R. W. Marston

Indt. sentence S.Q. 2/24/23.

W-68 / 9899-Y — James Kelly

W-69 / 9899-F — Andrew G. Morrissey

W-70 / 9900-A — Lauren H. Woodruff

W-71 / 9900-B — Otis Robbins

W-72 / 9902-C — Miguel Galvez alias Miguel Galberg

Mexican Sup. Ct. 2/24/23.

(18)

W-73
9915-A.

1-14 yrs. S.Q. 7/18/23 S.Q. #37897

9915-B

9962-N
W-75 Peter Winkowich 25 - T - 32 U 21.
1-14 yrs. S.Q. 12/20/23 S.Q. #38775.

9938 A Charles J Driscoll 9 U 00 - 23 - M 10

Indt by Gr Jury 7/18/23
Acquitted Sup. Ct 12/20/23

9932-E Homer B Stewart 1 Rt 10 1 Rx 12

Indicted by Gr Jury 7/18/23.
1-4 yrs S.Q. 12/20/23.
S.Q. #37794.

9932-F David Bryant 10 T OC 13 - 5

Indicted by Gr. Jury 12/15/22
Acquitted 5/18/23 Sup Ct

9922 G. Robert Windsor 9 U 00 5 U 0016

Indicted by Gr. Jury 12/15/22
Case dismissed 4/25.23 by request of Dist Att. (Mr Cowan) turned over to Ida. for further in Idaho

8658 B. Olaf Gutterson 9 A 19 17 R 12 9 R I 17 R 00

Indicted by Gr. Jury 12/6/22.

9932-F. Robert Burch 25 - M 5 1 R 00 15

9932-G Chas Mc Clermott 27 M M 26 Chas McClermitt 12 O I 19

9918 A Arthur Jolley 9 T 15 1 R I O 1 R 17 X 1 R II 17

Indicted by Grand Jury 12/10/22
Acquitted Superior Court 5/18/23.

9902-B 5 T 15 17 R 12
Charles Seger.

Indicted by Gr Jury 12/?/22
acquitted

George R Dawson 17 - O 19 2 R 001

Indicted by Grand Jury
pleaded guilty pro...

9943 A

Indicted ...
plead ... allowed ...

9924 - H. A...
Indicted ...

9907 A Jam...

9945 A. Wm...
Wm. Bu...

9940 B. M...

9933 D. Ja...

9933-E Jam...

10023 A ...enn...

9903-A
Wm Buckley
Inducted by Gr Jury
plead guilty - for Cation
allowed to go to Mich

9924-H. Albert Stangland
Inducted by Gr Jury 12/15/22

9907 A James A Palmer

9945 A. Wm. Buckwald
Wm. Buckwald

9940-B. Martin L Olsen

9933 D. James G Merren
Jas. Marren

9932 [illegible]
James Goldsick

10023 A
Dennis J. Keen

10004 A
Larry C. Long

10005-A
John Miller

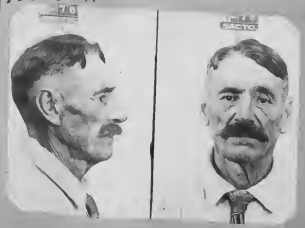
10009-C
Michael J Reilly

10009-D
Frank Wakeley

10012-D.
Claude York

10021-A
Jack Upton Wright

W-76.
10016-A.



Wm Empey
Released 3/24/23. Request

20

1 x A a
1 x A 2a

Barney Brooks

2 U 00
6 U 00

10066-C
W-78

Joseph A. Long

10072-C

Henry

1 Rt -
1 R 7

John Wagner

1 R O 11
11 - O 8

10070-B
W-79.

Charles Kelly - Albert Burns - Chas Lacy

10073-C

Raymond

1 A 4
1 A 2a 1

Lenman C. Russell

11 U O 19 x 11 U I 19
10 U O 19 x 10 U O 19

10069-A

Simich Boyo
alias - Boyo Simich - Sime

10068 1/2

Fred

9 Rx 12
1 U 12

10066-B
W-77.

Earnest W. Lyman

1 U 00 8
1 U 00 13

10069-B

Charles Peterson

10068 3/3

John

0066-C
W-78

10072-C
18 0
5 U 00

Henry Nordman

10068-D.

Chas Lampe

10070-B
W-79.

10073-C
31 I
24 OI

Raymond O. Griffin

10068-C.
9 U OI -
5 U 00

Fred Markkola

ns: Chas-Lang

10069-A

10068 1/2
9 R OI -
7 - 0 9

Fred Phillips

10068-B.
5 Aa 3 5 Aa 9
17 A 2a 5 X 17 Aa 5

Meke Kolomoy

0069-B

10068 2/3
1 U OI 11 X OI
1 R II 12 X IO

John Mc Laughlin

10068-C.
9 U 00
2 U IO

Martin Blut

10 R 00
24 - 0

10068-A

10101-A

22 M X 22 M
7 - Tops

Paul L Austin

29 - M 22
17 U 00 [illegible]

10063-A

1 R 00 14 IO
1 R IO 13 X IO

Fred Evans
Loyd Evans

10094-B

Urban Battaglia

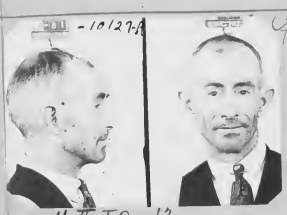
4 yrs

Ivar Martti

31 II 18
28 OI 16

10050 1/2

10127-A



Robert Conway Robinson

11 U IO 12
18 U 0 10

1-14 yrs

William Haley

30 00 12
28 I

10035 1/4

10127-B

1 U 00 14
1 U 00 13

Edward F Moffitt

Jerry Riccera

29 I M-
16 0 21 X I0
0

30 I
23 M

Joe Markovski Markosky

Leben Bratland

14 years 9 11/1/23

11 U 00 12
2 U 0 14

1 R 00 8
1 R 00 13

Myles McCabe

Robert Mooney Johansen
Mary Johnson

9 T 17
1 R 14

1 U 00 13
1 U 00 16

Ferdinand Bader

A Pedersen
Han Pederson
E Pederson

3 R II
1 U 0

1 a A 2a 5
1 a A 2a 2

Theodore J. White

10073-A

1 R I 0 17
17 R I 0 17

Harry H. Overton

10279-A- W-93 - Charles Bartley

9 U 00 H
2 U 00 5

32 00
32 0 I
10386-A
W #96
Alcazar Stock Co
Hospital 5/2/24

10162. Sam Oberman 30 0 15
Dismissed 1/23/24 30 0

10279-B- W-94 Thomas Emmett
1 A
1 U 22 8 10

9 R II 11
1 R I 0 13
10386-B
W #97
Jury disagreed 7/2 24
6 to 6.
Dismissed, motion Dist. Attorney 11/3/24

10163. Edward Higgins 1 U II 13
Dismissed 1/23/24 1 U I 13

10025-A- W-95. Charles O'Brien
9 U 00 3
1 R I 0 3

5 U 5 5 U
17 R 10 A 17 R
10386-C
W #98
Jury disagreed 7/24
6 to 6.
Dismissed, motion Dist. Attorney 11/3/24

10166. Ed C. Nelson 1 A A 2 a 3
Dismissed 1/23/24 1 A A 2 a 3

9919-A - W-88- Walter Kamizsky
13 R 00 13 R 00 12.
23 - I 11 A 19 - I 11

1 U 12
3 - a 15
10386-D
W-#99
Jury disagreed 7/24
6 to 6.
Dismissed, motion Dist. Attorney 11/3/24

3200
3201
10386-A
W.#96
Dead
Joe Coya

10V 21A XT
10356-C
W-100
Jury disagreed 7/2 1924 6 to 6.
Dismissed, motion Dist. Attorney 11/3/24.
William Hanson

9RII 11
1RI013
10386-B
W-97
Jury disagreed 7/2 24 6 to 6.
Dismissed, motion Dist. Attorney 11/3/24.
John Morgan

17-I13
1VII17
10387-A
W-101.
Jury disagreed 7/2 1924 6 to 6
Dismissed, motion Dist. Attorney 11/3/24
Howard E. Hastline

5V 5 5V 5
17 10A 17 10
10386-C
W #98
Jury disagreed 7/2 24 6 to 6
Dismissed, motion Dist. Attorney 11/3/24
Ralph Stevens

3I-MO 13
2V0-13
10387-B
W-102
Jury disagreed 7/2 24 6 to 6.
Dismissed, motion Dist. Attorney 11/3/24
George Ackermann

1V 12
3-A 15
10386-D
W-#99
Jury disagreed 7/2 24 6 to 6.
Dismissed, motion Dist. Attorney 11/3/24
William Lee

15V0 17
28-0018
10387-C
W-103
Jury disagreed 7/2 1924 6 to 6
Dismissed, motion Dist. Attorney 11/3/24
Ray Atkinson

31 I -
24 II 21

10387-D
W-104
Jury disagreed
7/2 24 6 to 6
Dismissed motion
Dist. Attorney 11/3/24.

William Rogers

10388-B
W-108
26 - I
6 U 00
Jury disagreed 6 to 6
Dismissed, mot. Dist. Attorney 11/3.

Thomas Ryan

#10388-F
W-112
26 - I 7
2 U 00
25 - I
2 U 00 8

10387-G
W-105
19 0 15
3 II 15
Released because of serious sickness

James Elliott

10387-C
W-109
5 U II 7
17 R II 17
Jury disagreed 6 to 6.
Dismissed, motion Dist. Attorney 11/3/24

Mike Hurley

25 I 10 12
28 M 16
10388-J
W-113

10388-D
W-106
25 I 20
4 I 17
10387-F
Jury disagreed
7/2 24 - 6 to 6
Dismissed, motion Dist. Attorney 11/3/24.

Lewis A. Gibson

10388-L
W-110
1 A 15
17 Aan 17
Stockton #436
Folsom #961

Wallace P. Knowles

11 R 0 1
9 U 0 1
10388-H
W-114

10388-A
W-107
29 - a -
22 Rn 8
Jury disagreed
7/2 24 6 to 6
Dismissed, motion Dist. Attorney 11/3/24

Bryan Kinney

10388-E
W-111
1 U I 0 1
1 U 0 0 4

Ladislaus Solma

2 U I 0 1
9 U II 1
10389-A
W-115

10388-B
W-108
6 - I
6 U 00
Jury disagreed
6 to 6
Dismissed, mot
Dist. Attorney 11

#10388-F
W-112
26 - I 7
2 U 00
25 - I 7
2 U 00 8

Charles - Prouty

17 M 10
3 M 10
10389-B
W-116

James Vance

10389-C
W-109
5 U II 7
17 R II 17
Jury disagreed
6 to 6
Dismissed, motion Dist Attorney 11/3/24

25 I 12
28 M 16
10388-G
W-113

Harry A. Thomas

25 - 0 13
1 U I 04
10389-C
W-117
Dismissed, motion Dist Attorney 11/3/24

Robert Mc Adams

10388-D
W-110
1 A 15
17 Aa 17
Stockton #434
Folsom #966

11 R 0 15
9 U 0 10
10388-H
W-114

John Mahoney

27 I 16
3 OM 12
10389-D
W-118

Francisco D. Tutuen

10388-E
W-111
1 U I0 7
1 U 00 4

2 U I0 18
9 U II 15
10389-A
W-115

Edward Murphy

29 I -
23 M 17
10389-E
W-119
Dismissed, motion Dist Attorney 11/3/24.

James Farrell

27 I 0 - X IM II
16 II 20
10416-A
W-120

S.C. #
48199
3/6-30
1:10

Herman Brode
Harry Blake = Harry Black

13 R I 0 13
17 T I 0 15

W-121
#10449-A.

Erick Frank

5 U II 4
1 U II 6

Ralph Wood - Viol IWW injunction of Judge Bledsoe of Sacto Co Sup Court. First case to be tried.; $250 or 125 days to Jail Jan 4. 1924 released on habeas corpus, pending appeal Apr 9.24 appeal adverse decision by Sup Court; surrendered himself July 2.24

CONVICTIONS OF I. W. W. MAY BE MADE IN FUTURE

Appellate Court Decision Does Not Interpret Law So That Members May Not Be Convicted 8/15/24

The appellate court decision yesterday, which ordered a new trial in the cases of William Flanagan and Albert Strangland, who were convicted of criminal syndicalism because of membership in the I. W. W., makes no interpretation of the law which will prevent conviction in the future.

While the decision was hailed as more or less of a victory by R. W. Henderson, attorney for members of the I. W. W., now on trial in the criminal court of the county, attorneys and jurists who have studied the appellate court opinion say it is an interpretation of the law that has been carried out in the superior court here in many cases in which convictions were obtained.

Former Conditions Made.

When Superior Judge Malcolm C. Glenn, now in the civil department of the court, was in the criminal department, numerous convictions were obtained in trials in which instructions were given to the jury that the prosecution must prove that the defendants knew the I. W. W. organization teaches and aids and abets criminal syndicalism.

The appellate court criticised an instruction given by Judge C. O. Busick in which he told the jury it was not necessary for the prosecution to prove the defendants knew of the character of the organization.

Opportunity To Deny Knowledge.

The appellate court opinion stated that the evidence was sufficient to prove the Industrial Workers of the World teaches criminal syndicalism and that the evidence was sufficient to prove that the defendants had knowledge of this, but it was held the defendants should have been given an opportunity to deny they had such knowledge and that the jury should not have been instructed that it was not necessary to prove such knowledge.

I. W. W. Hall Is Victory.

R. W. Henderson, attorney, who has acted as chief counsel for members of the I. W. W. in criminal syndicalism trials in Sacramento and other counties, to-day declared that the ruling of the appellate court in the Flanagan case was considered as a big victory by the Industrial Workers of the World.

"It has always been our contention that the prosecution in criminal syndicalism trials should be compelled to prove that a defendant knew the nature of the organization at the time he joined it," stated Henderson.

The statute requires such proof, according to our interpretation of the law, and we have always insisted that juries be so instructed before the case is finally given into their hands.

To Make Same Demand.

"I will make the same demand at the trial now in progress in Judge Pullen's court when the time comes to give the case to the jury, and in my opinion such an instruction amounts to nothing more than an instructed verdict of not guilty.

"The prosecution must prove that, when a man joins the I. W. W., he must have knowledge of its criminal nature. If such a nature exists. We say that it does not exist, but if it does the burden of proof of course rests with the prosecution.

"The Industrial Workers of the World consider the ruling of the appellate court a great victory, and believe that it should have the effect of stopping prosecutions under the syndicalism act."

I. W. W. Religious Belief Cannot Be Regarded As Criminal Indication

Belief or disbelief in the divinity of Jesus Christ cannot be used as a circumstance tending to prove the criminal nature of the Industrial Workers of the World or a member of the organization.

This was one of the reasons set forth by the third district court of appeal yesterday in setting aside the conviction of William Flanagan and Albert Stagland in the superior court of Sacramento County on a charge of violating the criminal syndicalism act.

In the trial of he and [illegible] I. W. W. leaders [illegible] and also testimony relating that the I. W. W. considered themselves as being the equal of Christ.

Others Have Some Idea.

Ruling on the introduction of this evidence as tending to prove the criminal nature of the I. W. W. the court said:

"Certain of the Christian denominations have recently espoused beliefs similar to those attributed to Flanagan and Stagland, who, among other things, were accused of terming themselves as equal footing with Christ.

"There are many law-abiding citizens in this country who do not believe in the divinity of Christ—persons of other religious faiths, as well as some 'modernistic' Christians. It is not proper to admit evidence of such lack of faith as tending to establish a charge of crime against any one of them. The defendants in this case were not on trial for their religious beliefs."

HIGH STATE COURT SWATS JUDGE BUSICK

Star 8/14/24

'Prejudicial Misconduct' Charged by Court of Appeals

Superior Judge Chas. O. Busick of Sacramento-co, who granted the state-wide injunction against the I. W. W., today was accused of prejudicial misconduct in an I. W. W. case by the third district court of appeal.

This charge against Judge Busick and others of irregular conduct of superior court was made in an opinion written by Judge Wm. N. Finch and signed by Judges J. A. Plummer and E. C. Hart.

The opinion reversed the decision given in Judge Busick's court, finding Wm. P. Flanagan guilty. Stagland, member of the I. W. W., guilty of criminal syndicalism and sentencing them to serve from one to 14 years in state's prison.

The opinion stated:

"The court is guilty of prejudicial misconduct in the following statement made in the presence of the jury, in sustaining the objection to one question of literature offered by the defendants but which was not read before the jury.

Judge's Remark

"'I think it is nothing but a treasonable article. It isn't the truth.' The statement here is not the truth and I think it is really unbecoming of anybody to offer such an article in defense of anybody. The very statement is there is a conglomeration of falsehoods and treasonable in itself.'"

The opinion goes on to cite other instances where the trial was conducted in an irregular manner and that the defendants charged as to the law and evidence.

The opinion ends by stating there were numerous other errors in the trial which the opinion does not mention.

According to the opinion at the time Flanagan and Stagland were convicted, three other members of the I. W. W. who were tried jointly with them, were acquitted. They were David Bryant, Olaf Gutterson and Arthur Jolley.

a member, he had no knowledge of the organization whatever and had never heard of the use of "force and violence."

Judge Interrupted

When his attorney was questioning him as to just what he knew of the organization before he joined, Judge Flanagan could answer, Judge Busick interrupted him and said:

"Well, that is immaterial whether he has or not. If he is a member and the organization is one organized for the purpose of doing things prohibited by statute, it doesn't make any difference what he understands."

Albert Stagland, who was found guilty with Flanagan, did not take the witness stand in his own defense.

According to the opinion of the appellate judges, it would have been futile for him to have attempted to prove want of guilty knowledge after the ruling of the court (Judge Busick).

No Proof Needed

"The court refused to instruct the jury that proof of knowledge by defendants of the character of the organization was essential to a conviction.

"One of the proposed instructions upon the question of such knowledge is faulty in stating that to justify a conviction, the jury must find 'the I. W. W. was organized in Sacramento-co.' The other instruction upon that question which the court refused, correctly states the law.

"After the jurors had retired to deliberate, they returned into court and the foreman inquired: 'If he jury finds that a man joins an organization and was stopped from investigating it very much before he became fully cognizant of what the organization was and, in fact, the jury believe that he would have repudiated it had he known it was a criminal syndicate, should the jury take that evidence into consideration?'

"Knowingly" Defined

"The court replied: 'It is not necessary and the law does not require that the prosecution establish that he knew the character of the organization. The word knowingly there means that he must know that he joined the organizations. If he had been under the influence to some degree and didn't know what he was doing or was insane, then he would not knowingly join it, but if he knew that he joined the organization and if you find that it is a criminal organization, that is all that the law requires to be established.'

"Flanagan was arrested with strike bulletins in his possession. He was detained by police court and then arrested again. There was no advocacy of crime or violence in the bulletins."

The opinion further sets out against Judge Busick's conduct of his court, that "Witnesses for the prosecution were permitted to give their opinions and conclusions as to the character and purposes of the I. W. W.

"Judge Busick was permitted to testify that the I. W. W. term themselves on an equal footing with Christ. They say the only difference between the I. W. W. of today and Christ is that he rode a jackass and they ride freight trains. The I. W. W. call Jesus Christ 'Jerusalem Slim.'"

Testimony Immaterial

After citing numerous other errors admitted in evidence against the I. W. W. on trial by Judge Busick, the opinion rules, "that in fact testimony there is not a single fact material to any issue being tried.

"There are many law-abiding citizens in this country who do not believe in divinity of Christ—persons of other religions, faiths as well as some 'modernist' Christians—but it is not proper to admit evidence of such lack of faith as tending to establish a charge of crime against one of them."

I. W. W. DEFY ARREST HERE

Defying the Injunction of Judge C. O. Busick and the activities of Dist. Atty. J. J. Henderson, members of the I. W. W. have opened a public hall at 310 1st, where "useful members of society may secure illuminating literature on their problems, according to a communication received by the Star today, signed "I. W. W."

The communication scores Henderson, the latter's activities against the organization and states that hereafter detectives will not be needed to search out the members.

"The district attorney can save the county this expense in the future by merely calling up the I. W. W. office and stating his desire to persecute under the criminal syndicalism law. The secretary will immediately pass the word around to the workers in the various industries in the city. In a few hours the secretary and a couple of dozen members and delegates will appear at the court house where the district attorney may pick and choose—any or all. This procedure can be repeated an indefinite number of times."

Three Acquitted.

Three alleged members of the I. W. W. were acquitted in Judge J. P. Pullen's superior court here late yesterday, where they have been on trial for several weeks, charged with violating the criminal syndicalism law.

The men were Sam Oberman, Ed Higgins and Edw. McCray. The jury retired at 1 o'clock and returned at 5 o'clock.

The decision of the jury was affected by the recent decision of the third district court of appeal in reversing the judgment of a criminal syndicalism conviction in Judge C. O. Busick's court, according to members of the district attorney's office.

I. W. W. THROW DOWN GAUNTLET TO AUTHORITIES

Members Wearing Their Buttons On Coat Lapels Circulate Announcements Of New Headquarters Opening

"INVITATION" EXTENDED TO DISTRICT ATTORNEY

Circulars Say Henderson Can Save Expense Of Gathering Evidence By "Calling Up I. W. W. Office"

The Industrial Workers of the World have thrown down the gauntlet to the law enforcement officials of Sacramento County.

Simultaneously with the acquittal of three members of the I. W. W. by a jury in Superior Judge J. P. Pullen's court last night, charges of violating the criminal syndicalism law, hundreds of circulars were distributed by members throughout Sacramento which dare the law enforcement officers to prosecute them.

Wear Buttons On Lapels.

The circulars were distributed by some fifty men, who wore their I. W. W. buttons on their coat lapels in front of the court house both before and after the verdict was rendered by the jury freeing Sam Oberman, Ed Higgins and Edward McCray.

Assistant District Attorney W. H. Cowan said to-day that in his opinion the ruling recently handed down by the third district court of appeals, which held that the prosecution must prove the defendants cubbed knew the character of the organization he joined, if will not affect [illegible] they joined it.

prosecutions of I. [illegible] ture.

PROSECUTION S

"The decision h[illegible] the prosecution o[illegible] I.W.W.'s Cowan [illegible] my opioloo the ru[illegible]te court hod no[illegible] the verdict. Jurie[illegible] instruction herein[illegible] verdicts of guilty."

NEW HAL

The circulars announcing the opening of a new I.W.W. hall, "where workers of society (the working class) can illuminating literature on their problems."

"NO COERCATIVE

Speaking of Dis[illegible] J. Henderson and of the circulars, [illegible]

"He can save expense (referring to the employing of detectives) by operatives) is merely calling up office and stating his wish under criminal

"The secretary [illegible] pass the word around [illegible] in a few hours the [illegible] of members and guests will appear at where the district attorney may pick and choose—any or all. This procedure can be repeated an indefinite number of times."

Three Acquitted.

The distribution [illegible] and the announcement [illegible] has been opened [illegible] will be given out [illegible] of I. W. W. [illegible] granted against the [illegible] organization, enjoining [illegible] members from circulating [illegible] in any way advocating violence.

The injunction [illegible] Superior Judge [illegible] is being enforced [illegible] and Lee Holmes [illegible].

The trial of Ob[illegible] and Higgins was [illegible] weeks ago.

GRAND JUR[illegible] TO INDI[illegible]

Cowan Requests [illegible] Be Accused [illegible] Syndica[illegible]

The indictment of [illegible] men was [illegible] squad of police officers [illegible] Detective Sergeant [illegible] the Sacramento headquarters [illegible] Industrial Workers [illegible] Federal Building [illegible] before the county [illegible] day.

Assistant District [illegible] Cowan presented [illegible] to the inquisitorial body [illegible] stood to have requested [illegible] indictment jointly against [illegible] men man of criminal syndicalism. Cox was [illegible] ness called.

Evidence [illegible]

When Cox entered [illegible] room he carried with [illegible] and a large bundle [illegible] literature-seized [illegible] upon the headquarters [illegible] Alturia was [illegible] ard.

Those against whom [illegible] men were asked [illegible] lins, John Morgan, [illegible] Adams, William [illegible] Elling, Gerald [illegible] be the secretary of [illegible] Dunning; James Farrell, William Rodgers, [illegible] R. Kenney, Ralph [illegible] Lee, Mike Harley, [illegible] Joe Coya.

James Farrell was [illegible] custody until last [illegible] said he was appointed [illegible] secretary of the local [illegible] of Atkinson's arrest.

prosecutions of I. W. W. in the future.

PROSECUTION NOT AFFECTED

"The decision is no way affects the prosecution of members of the I.W.W.," Cowan tinterted, "and in my opinion the ruling of the appellate court had nothing to do with the verdict. Juries given the same instruction heretofore have returned verdicts of guilty."

NEW HALL OPENS.

The circular scattered over Sacramento announces the opening of a new I.W.W. hall at 310 I Street "where useful members of the labor (the working class) can assemble, illuminating literature and wholesome"

"NO OPERATIVES NEEDED."

Speaking of District Attorney J. J. Henderson and his office, the circular says:

"He can save the county this expense (referring to the gathering of evidence against the I. W. W. by operatives) in the future by merely calling up the I. W. W. office and stating his desire to prosecute under criminal syndicalism.

"The secretary will immediately pass the word around to the workers in various industries of the city. In a few hours the secretary and a couple of dozen members and delegates will appear at the court house where the district attorney may pick and choose any one. This procedure can be repeated an indefinite number of times.

"If you must have a criminal syndicalism law to prevent working people from organizing One Big Union of their class, please be consistent, good people of Sacramento, and enforce that law."

Direct Violation.

The distribution of the circular and the announcement that a hall has been opened where literature will be given out is in direct violation of the injunction recently granted against the entire I. W. W. organization, enjoining its officials, agents, members and attorneys from circulating radical literature or in any way advocating sabotage or violence.

This injunction was granted by Superior Judge C. C. Busick, and is being enforced in Sacramento and Los Angeles.

The trial of Oherman, McCray and Higgins was begun about five weeks ago.

APPEAL FILED ON REVERSAL IN CASE OF TWO I. W. W.

Deputy Attorney General Acts In Supreme Court; Defendants Were Tried Here

An appeal was filed in the supreme court to-day from the decision of the third district court of appeals reversing the conviction of William Flansgan and Albert Srangland in the superior court of Sacramento County on a charge of violating the criminal syndicalism law. The petition for a hearing was filed by J. Charles Jones, deputy state attorney general.

The appellate court reversed the lower court and ordered a new trial for Flansgan and Strangland on the ground that the trial court was guilty of prejudicial misconduct when it erred in admitting and rejecting testimoony and in refusing to instruct the jury that proof of knowledge by the defendants of the criminal character of the organization was essential to a conviction.

Hinges Around Word.

Relative to the meaning of the word "knowingly" in the law, Deputy Attorney Jones says in his petition for a hearing:

"If a person has been charged with becoming a member of the I. W. W.), it is necessary to charge the word 'knowingly' before the statement of becoming a member, but if a person is charged with being a member it is not necessary to use the word 'knowingly' in the indictment.

"It was not necessary, in order to convict, that the jury should find that either defendant had knowledge of the unlawful character of the I. W. W. before he joined the same."

Religious Faith.

Replying to the contention of the appellate court, that evidence of the lack of faith of a defendant in the Christian religion cannot be admitted as tending to establish a charge of crime, Jones petition said:

"The evidence adduced in the case at bar showed that the I. W. W. has as its openly expressed and deliberately avowed purpose, the destruction of the religious faith of its members, so that they may be freed from all moral restraint and thereby fully prepared for the final task of unlawfully overthrowing the established government.

"In the decision of the district court of appeal it is plainly apparent that the court has wholly failed to understand or apply the rules of evidence governing the law under which reference was had to the propoganda of the I. W. W. intended to encompass the destruction of belief in the Christian religion as a direct means to their ends. Matters utterly reckless and subject to no degree of moral restraint."

INQUIRY INTO HEADQUARTERS IS PREDICTED

Official Says Inquisitorial Body Is Ready to Act Against Wobblies.

NOW UP TO HENDERSON

Prosecutor Says Acquittal of Three Men Not to Deter Prosecutions.

An immediate and thorough investigation of the opening of the Industrial Workers of the World headquarters at 310 I street, and activities of those members of the organization who are connected with the office, by the Sacramento County Grand Jury was forecast last night.

This information was obtained from one of the grand jurors, who declared there is "no doubt about the grand jury making an investigation, as we will never let them get by with that."

Another member said it was a matter for the district attorney to take up, but added that if District Attorney J. J. Henderson wished those working in the I. W. W. headquarters indicted, the grand jury would endeavor to find as many of them brought up.

District Attorney Henderson said he planned no immediate action to close the established headquarters due to a raid, but the place be raided to gather evidence on which to make arrests. He said he had given no thought to such a raid, but added he planned to leave the men work undisturbed for a while to ascertain what trend and how far their activities would go.

Chief of Police Bernard McShane said he had made no plans to raid the headquarters immediately, but added that the police department will keep careful check on the activities of those it maintained there.

The trial of Sam Oberman, Ed Higgins and Bernard McCray, alleged members of the organization, who were acquitted by a jury in Judge E. P. Fuller's court early Wednesday night, and other recent trials, were the result of indictments returned by the grand jury. The true bills were voted early last July.

District Attorney Henderson also announced yesterday that the prosecution of members of the organization in the local Superior Courts for violating the criminal syndicalism law would not be discontinued. The men will be taken to trial as rapidly as they are arrested on charges of violation of the criminal syndicalism law.

His statement was given out immediately after the announcement that the Industrial Workers of the World had opened headquarters here. The announcement was made through printed circulars distributed freely about the city.

"High or low, rich or poor, influential or uninfluential, all will be treated the same," Henderson said, "and if they are arrested they will be prosecuted."

The prosecution of the alleged reds will not only be continued under the provisions of the criminal syndicalism law, he declared, but the sweeping injunction handed down by Superior Judge C. C. Busick early last fall, holding it to unlawful for anyone to be a member of the organization also will be used.

Those violating the provisions of the injunction, he said, will be brought ingi court on citations for contempt and will be tried before the court without a jury.

The announcement that the Industrial Workers of the World headquarters had been opened here was made public immediately after Oberman, Higgins and McCray had been acquitted. The circulars are said to have been distributed by some fifty men who wore their buttons in their coat lapels. The documents are interpreted by county officials to be a dare to Henderson and his assistants to continue the prosecution of the members of the organization.

The circulars, in addition to saying that the headquarters have been opened, informs the members that useful members of society, the working class, can secure illuminating literature on their problems" from the secretary.

They also inform District Attorney Henderson and his assistants that they can eliminate the necessity of employing special operators to round up the alleged reds, as the office will be at their service.

SAVE COUNTY EXPENSE.

In this respect the circulars say: "The district attorney can save the county this expense in the future by merely calling up the I. W. W. office and stating his desire to prosecute under criminal syndicalism.

"The secretary will immediately pass the word around to the workers in various industries of the city. In a few hours the secretary and a couple of dozen members and the delegates will appear at the court house, where the district attorney may pick and choose any or all. This procedure can be repeated an indefinite number of times.

"If you must have a criminal syndicalism law to prevent working people from organizing One Big Union of their class, please be consistent, good people of Sacramento, and enforce that law."

The distributing of the circulars is held to be in violation of Judge Busick's injunction, which in addition to holding it to be unlawful to be a member of the organization, also makes it unlawful for any of the officials or members of the organization to distribute literature

GRAND JURY ASKED TO INDICT I. W. W.

Cowan Requests Sixteen Men Be Accused Of Criminal Syndicalism

The indictment of sixteen of the twenty-four men arrested when a squad of police officers directed by Detective Sergeant E. J. Cox raided the Sacramento headquarters of the Industrial Workers of the World on I Street last Saturday, was sought before the county grand jury today.

Assistant District Attorney W. V. Cowan presented the evidence to the inquisitorial body and is understood to have requested that one indictment jointly accusing the sixteen men of criminal syndicalism be returned. Cox was the only witness called.

Evidence Offered.

When Cox entered the grand jury room he carried with him a satchel and a large bundle containing radical literature seized during the raid upon the headquarters. The literature was offered as evidence.

Those against whom the indictment was sought are: H. E. Hartline, John Morgan, Robert Mc-Adams, William Dawson, James Elliott, George Ackarman, said to be the secretary of the local organization; James Farrell, Ray Atkinson, William Rodgers, L. A. Gibson, B. Kenney, Ralph Stevens, William Lee, Mike Harley, Thomas Ryan and Jos Cory.

James Farrell was not taken into custody until last night. Cowan said he was appointed to act as secretary of the local order because of Atkinson's arrest.

CONSPIRACY CHARGED CASE

Cowan yesterday expressed the opinion that the jury's verdict rendered Friday in the case of Cowan in the Appellate Court's decision, which was made after the trial of the men in superior Court was about half completed. Cowan began the trial on the 16th and the case was called upon to prove was the membership of the defendants and the character of the organization. The Appellate Courts opinion was made public he said it then was too late for him to change his procedure and attempt to prove the frame of mind of the defendants and their knowledge of the organization when they joined.

Another feature of the trial considered by Cowan as another of the causes for the jury's unanimous verdict, was a statement accredited to Captain Max Fisher, in charge of the city's criminal identification bureau, while testifying as a witness for the prosecution. Fisher is credited with saying that he would not believe Albert Coats, the prosecution's star witness, on the strength of Biblers." This statement, Cowan said he believes, was partly responsible for the verdict.

The testimony given by Coats had been corroborated by five other witnesses and by printed matter offered by Cowan.

Attorney Henderson, counsel for the defendants, also took advantage of the Appellate Court's decision in presenting a motion to the lower court, which later were given by Judge Dunn.

Henderson's proposed instructions which were incorporated in the court's charge to the jury, were:

"First—That such defendant was a member of the Industrial Workers of the World, the Union of Sacramento, State of California, in the month of July, August, 1920, or within one year prior.

"Second—That at the time such defendant was a member of the Industrial Workers of the World in the Union of Sacramento, State of California, the Industrial Workers of the World was org nized or accomplished for and advocated or aid and abet criminal syndicalism, as the term has elsewhere been defined by you in these instructions, and

"Third—That at the time such defendant was such member, such defendant, in the County of Sacramento, State of California, knew that the Industrial Workers of the World was then organized or assembled to do the things above cited.

"Unless you find the existence of each of these elements from the evidence in this case to a moral certainty and beyond a reasonable doubt, you must find such defendant not guilty, and you must find each defendant not guilty.

COURT UPHOLDS CONVICTION OF I. W. W. WITNESSES

3/25 24

Decision Of Appellate Court Is Against Five Men Who Admitted I. W. W. Membership On Stand

The conviction under provisions of the California criminal syndicalism law of five men, who confessed that they were members of the I. W. W. while testifying as witnesses in another case before the Superior Court of Sacramento County about a year ago, was upheld by the third district court of appeal in a decision handed down here to-day.

The defendants, in appealing the case, claimed they had come to Sacramento from Alameda and Los Angeles Counties under compulsion, having been summoned as witnesses in the case of H. B. Steward and others, and that the County of Sacramento therefore was without jurisdiction.

Contentions Overruled.

The appellate court denies this contention, as well as claims of error in the conduct of the case which might have resulted in a miscarriage of justice.

The five I. W. W.s involved in the case are B. Johansen, A. G. Ross, J. M. Reilly, R. Woods, Cris Pederson and Albin Bratland. Wood claimed he resided in Alameda County while the other four claimed Los Angeles as their home.

Arrested Leaving Court.

The five testified they were members of the I. W. W. during the trial of Steward and were arrested by the Sacramento authorities immediately after leaving the courtroom.

Regarding the question of jurisdiction, one of the main points raised in the appeal, was that since they had been summoned as witnesses they were not "wilfully and intentionally" members of the I. W. W. in Sacramento County.

Opinion By Finch.

Concerning this matter the appellate court decision, written by Presiding Justice William M. Finch, said:

"Since membership in a forbidden organization, without the commission of an overt act, is made punishable by the statute, it follows logically that jurisdiction of the crime of being a member thereof is in any county into which such a member may go during the continuance of his membership."

The decision also points out that court decisions have been decisive relative to the question as to whether a superior court could acquire jurisdiction by compelling the attendance of witnesses in another action.

MEMBERSHIP IN I. W. W. NOT PROOF OF SYNDICALISM

Los Angeles Judge So Holds In Kern County Case That Hinges On Defendant's Admission To The Organization Named

LOS ANGELES, Sept. 21.—(AP)—Membership in the Industrial Workers of the World or similar organizations, is not conclusive proof of guilt of criminal syndicalism as outlined in the California code. This was a decision handed down yesterday by Justice Frederick W. Houser of the second district court of appeals, division one, reversing a former judgment and granting a new trial to Felix Thornton.

Convicted in Kern County.

Thornton had appealed from a judgment of the superior court of Kern County, where he was tried on a charge of wilfully, unlawfully, knowingly and feloniously becoming a member of the I. W. W., which organization is said to have been designated as the "One Big Union," to advocate, abet and teach criminal syndicalism as a means of accomplishing a change in industrial ownership and controlling and effecting political changes in government.

Evidence Held Insufficient.

After a short trial, he was found guilty, although, it was contended in his appeal, neither the time nor the place that he was said to have become a member of the organization was introduced in evidence.

The prosecution declared Thornton had assisted in the organization of the I. W. W., but the defense asserted the organization was complete in itself at the time and that the entire issue evolved around his remaining a member.

Literature In Evidence.

The prosecution exhibit included a supply of literature, songs, cards and pamphlets of the I. W. W., many of which were said to have advocated violence as a means of attaining the organizations alleged ends.

Thornton's counsel offered evidence that the I. W. W. was not affiliated with the Red Internationale of Moscow, but there was no denial the organization was in sympathy with soviet doctrine.

Grounds For Acquittal.

The court stated:

"The defendant is entitled to acquittal unless it is shown by competent witnesses that the doctrine and teachings of the organization were denounced by statute."

SUPREME COURT UPHOLDS I.W.W. CONVICTION HERE

Five Men Arrested When They Admitted Membership On Witness Stand Must Go To Prison

May 19 24

The conviction of members of the I. W. W. who admit their affiliation with the Industrial Workers of the World while testifying in behalf of confederates charged with violating the criminal syndicalism act was upheld by the supreme court to-day in affirming the verdict in the cases of five radicals in the Superior Court of Sacramento County.

Will Go To Prison.

The five defendants who will go to San Quentin Prison as a result of the decision are B. Johansen, A. G. Ross, R. Wood, Cris Pedersen and Albin Bratland. They were tried before Superior Judge C. O. Busick.

Johansen, Ross Pederson and Bratland were brought here from Los Angeles and Woods from Alameda County on subpenas to testify in the case of The People vs. Steward, tried for violating the syndicalism act.

ADMITTED MEMBERSHIP.

While testifying, each admitted membership in the I. W. W., and after they had testified the five were arrested on charges of violating the syndicalism act, tried and convicted.

An appeal was taken on the ground that the superior court of Sacramento County was without jurisdiction to try the defendants in that they were brought to Sacramento involuntarily. Johansen, Ross and Bratland also contended that acquittal on similar charges in Los Angeles County was a bar to prosecution in Sacramento County.

The Ruling.

Conviction of the five was upheld in the third district court of appeal here, and in denying the defendants a hearing the supreme court said:

"While it istrue that the petitioners came into Sacramento County involuntarily. It is also true that they had ample opportunity to sever their connections with the unlawful organization of which they were members before coming into that county.

"Having elected not to do this, they cannot be heard to say that the offense of which they stand convicted was not voluntarily committed by them within the county of Sacramento."

The supreme court concurred in the ruling of the appellate court to the effect that the plea of former acquittal was of no avail, since the five men continued as members of the I. W. W. after learning of the unlawful character of the organization.

FIFTEEN HELD AS I. W. W. GO FREE

Insufficient Evidence Is Reason; Were Arrested Last July

Fifteen alleged members of the Industrial Workers of the World under indictment on charges of criminal syndicalism walked free to-day when Superior Judge J. P. Pullen dismissed the indictment on motion of the district attorney's office.

The motion for dismissal was made by Assistant District Attorney W. F. Renfro on the ground of insufficient evidence. He said:

"A conviction in this case is rather doubtful. A jury at their first trial disagreed, and from my investigation it is evident a conviction is impossible."

The Defendants.

The defendants were:

H. E. Hartline, John Morgan, Robert McAdams, William Dawson, George Ackerman, James Farrell, Ray Atkinson, William Rodgers, L. A. Gibson, B. Kinney, Ralph Stevens, William Lee, Mike Hurley, Thomas Ryan and Joe Coya.

A jury at the first trial of the defendants was discharged on the night of July 1st, last, after it had deliberated more than six hours and was unable to reach an agreement. They were arrested several weeks before, when police detectives staged a raid on the local I. W. W. headquarters on I Street, near Third.

Hartline, who acted as spokesman for the defendants, asked for a court order instructing the district attorney's office to return to them their personal property, including their membership cards in the radical organization taken from them when they were arrested. His motion was granted.

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W-8. Albert Diamond (Continued)

$10,000 Bail, sent to County Jail, Released. (Page 2)

W-7. Felix Cedeno (Mexican) 5 U OI 12
17 R OI

5.3:-125:-26:-Laborer:-Mexico:- Black hair:-Brown eyes.
Blue mole lower left cheek. Arrested Sacramento 12/22/1917, Remanded into Federal Custody, $10,000 Bail, sent to County Jail, 2 years Leavenworth, Conspiracy, 5/17/1919. (Page 2)

W-10. James H. Mulroney 9 R OI 11
1 R OI

5.6 1/8:-160:-35:-Laborer & Seaman:- Australia:-Dark brown hair:-Gray-blue eyes:- Dim indistinct tat. forearm anterior. Sailor, Tombstone, "In Memory of My Mother!" Arrested Sacramento 12/22/1917, Remanded into Federal Custody 12/31/1917, $10,000 Bail, sent to County Jail, 4 yrs. Leavenworth 1/16/1919, Conspiracy. (Page 2)

W-9. John O'Brien 25 I 13
19 I

5.8 3/4:-147:-35:-Laborer:-Chicago, Ill.:-Black hair:-Yellow & gray eyes. Forehead receeding. Arrested Sacramento 12/22/1917, Remanded into Federal Custody 12/31/1917, $10,000 Bail, sent to County Jail, Released. (Page 2)

W-16. Antone Widovich 1 A a 13
1 A

5.8½:-162:-19:-Laborer:- Austria:-Chest. hair:- Brown eyes.
Arrested Sacramento 12/22/1917, Remanded into Federal Custody 12/31/1917, $10,000 Bail, sent to County Jail, Released 1/23/1918.
RECORD:-Committed to Ione Reform School in 1914 by Judge Shields. Paroled July 1916.
Same as Thomas Williams, Marysville Sheriff #273, 60 days Co. Jail Marysville, Cal. 8/3/1918. Dist. the Peace.
As Thomas Bann, 90 days Sacramento Co. Jail, Vag. 10/7/1918. Served 10 days when his mother had him paroled.
As Thomas Ban alias George Williamson, Sacramento Police #8459, arr. 12/24/1918, Burgl. & Forgery, Held snsw.,1/7/1919, 1to 14 yrs San Quentin 2/17/1919, Forgery. San Quentin #32396. (Page 2)

W-42 William Schmidt 1 U IO 6
1 R IO

5.6½:-138:-38:-Marine fireman:-Germany:-Brown hair:-Blue eyes.
Tat. plain star center left forearm anterior. Twig & bracelet left forearm posterior. Held for disloyal utterances 12/28/1917. Held to Immigration Officer & delivered to Co. Jail 1/1/1918. Released from custody by orders of Federal Court 4/8/1918. (Page 2)

W-25. Yelmer De Vries 25 - I 11
18 U 00

5.8½:-142:-23:-Butter maker & laborer:-Holland:-Chest. hair:-Blue eyes.
Arrested 12/22/1917, (quite an avowed I.W.W.) Remanded into Federal Custody 12/31/1917, $10,000 Bail, sent to Co. Jail, Released. (Page 2)

W-19. Otto Elsner 1 T 19
1 R

6.0 1/8:-148:-19:-Laborer:-Fremont, Nebr.:- Chest. hair:-Blue eyes.
Arrested Sacramento, 12/22/1917, Remanded into Federal Custody 12/31/17, $10,000 Bail, sent to County Jail, 3 yrs. Leavenworth 1/16/19, Conspiracy. (Page 2)

W-28. Jim Mc Kenzie 1 R 00 12
1 R 00

5.8 5/8:-168:-32:-Laborer:-Mich.:-Ginger hair:-Blue eyes.
Arrested Sacramento, 12/22/1917 (an avowed I.W.W.) Remanded into Federal Custody 12/31/1917, $10,000 Bail, sent to Co. Jail, Released. (Page 3)

W-18. John Dalrymple 7 U OI 15
19 - OI

5.6(shoes):-136:-37:-Marine Cook:- Delaware:-Chest. hair:- Blue.
Arrested Sacramento 12/22/1917, Remanded into Federal Custody 12/31/17, $10,0 00 Bail, sent to County Jail, Released on O.R. 5/13/1918. (Page 3)

95/13/077

W-38. Wm. Faust F. P. Class.: 1 U 00 17
2 U IO

5.2½:-220:-42-45:-Miner&-Ranch laborer:-Pa. Small scar right temple. Remanded into Federal Custody Sacramento, Dec. 31, 1917, $10,000 Bail, 1 yr. San Francisco Co. Jail 1/16/1919. (Page 1.

W-13. Albert Whitehead 9 R IO 22
18 U 00

5.6½:-140:-52:-Seaman, rigger:-England:- Tat. Anchor, Star, Flags red & blue, left upper arm. Crucifixion, left forearm anterior. Cross, star &bracelet, left forearm posterior. Heart, cross, dagger, flower, right upper arm, also other tats. Chestnut hair:-Hazel eyes. Remanded into Federal Custody at Sacramento, Dec. 31, 1917, $10,000 Bail, 1 yr. San Francisco Co. Jail 1/16/1919, Viol. Espionage Act. (Page 1

W-41. Otto Giesberts 5 R 00 16
17 R 00

5.9 7/8:-155:-19:-Ship yard riveter:- N.Y.:- Brown hair:-Blue eyes. Chin receeding. Arrested Sacramento 12/22/1917, Remanded into Federal Custody 12/31/1917, $10,000 Bail and sent to County Jail. Released. (Page 1)

W-33. Fred Meyers 1 R II 12
1 U 0I

5.9 5/8:-178:-38:-Laborer:-Pa.:- Black hair & graying:-Hazel eyes. Arrested Sacramento 12/22/1917, Remanded into Federal Custody 12/31/1917 $10,000 Bail and sent to County Jail. Released. (Page 1)

W-39. George Frank Long 10 U 00
on Sack 6 U 00

5.9 3/8:- 165:-34:-Butcher:- Oakland, Cal.:-Black hair:-Blue eyes. Three left upper front teeth out. Remanded into Federal Custody, 12/31/1917, $10,000 Bail sent to County Jail, Released from Custody on C.R. 5/13/1918. (Page 1)

W-32. Edward Anderson 19 - I 15
17 U 0

5.6 5/8:-155:-32:-Laborer, Iron worker:-Denmark:- Complexion Light. Tat. Blue dot bet. thumb & index finger, left hand. Dim letter'E' center left forearm anterior. Arrested Sacramento 12/22/1917, Remanded into Federal Custody 12/31/1917, $10,000 Bail, sent to County Jail, 2 years Leavenworth 1/16/1919, Conspiracy. (Page 1)

W-11. Wm. T. Bridges 25 - IM
30 U 00

5.9½:-160:-49:-Farm laborer:-Ill.:-Brown hair:-Blue eyes:- Arrested Sacramento 12/22/1917, Remanded into Federal Custody 12/31/17, $10,000 Bail, sent to County Jail, Released from Custody 5/13/1918, on C.R. (Page 1

W-4. Noble Sherman 16 U 00 20
2 U I

5.4:-138:-34:-Laborer:-Ill.:-Dark Chestnut hair:-Hazeleyes, trouted. Point of left index finger clipped slightly. Right elbow has been broken. Arrested Sacramento 12/22/1917, Remanded into Federal Custody 12/31/17, $10,000 Bail, sent to County Jail, Released from Co. Jail. (Page 1)

W-8. Albert Diamond 1 U IO 5
1 U IO

5.4½:-137:-53:-Cook:-Glasgow, Scotland:-Black hair: Brown eyes. Right middle finger amputated at base. Cataract in right eye. Arrested Sacramento 12/22/1917, Remanded into Federal Custody 12/31/17.

(Page 2)

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10 years U.S.Penitentiary,Leavenworth,Kansas, Jan.16th,1919.
for Conspiracy.

8428, Mortimer Downing.

6656. Frederick Esmond

8432. Chris Luber

8378. Phil McLaughlin

8109. John Graves

8431. Louis Tori

8340. James Quinlan

8338. Edward Quigley

8339. George O'Connell

8371. Roy Conner

8343. John Potthast

8341. Henry Hammer

8335. P.Bernardi

8334. Myron Sprague

8376. Elmer Anderson

8374. Caesar Tabib

8298. Robert Connellan

8375. Frank Elliott

8373. Harry Gray

8327. Harry Brewer

8377. Godfrey Ebel

7734. Wm.Hood

8107. Vincent Santelli

8096. George Voetter

Five years.

8111.Edward S.Carey

8429. Herbert Stredwick

8246. John Murphy

Four years

8430. Robert Feehan

W-10. James Mulrooney

8056. James Price.

Three years

8112. Jos.Carroll

W-19. Otto Eisner.

Two years

W-34. Jos.Harper.

8372. Harry La Tour

W-26. Frank Moran

8134. Frank Reilly

W-32. Edward Anderson

W-7. Felix Cendo.

One yr.San Fran.Co.Jail.

8197. Harry Donovan

W-38. Harry Faust

8089. Charles Koenig

W-17. Wilbur Miller.

W-13. Albert Whitehead.

Released.

8172. Ettore DeSantes.

95/5/047